

SUPPORT FOR THE AMENDMENT

Support for the amendment to claim 1 is found in claim 4 as originally presented. No new matter would be added to this application by entry of this amendment. No new issues would be raised before the examiner, as applicants have merely introduced the limitations of an existing dependent claim into the independent claim. Entry of applicants' amendment and full consideration thereof at this stage of prosecution is respectfully requested.

Upon entry of this amendment, claims 1-2, 5-10 and 14-19 will now be active in this application.

REQUEST FOR RECONSIDERATION

The present invention is directed to a sheet cosmetic comprising an aqueous gel sheet comprising an agar having a gel strength of 600 g/cm<sup>2</sup> or less, and which is obtained by subjecting raw seaweed having a sulfate group content of 1-10% to extraction in neutral hot water.

The rejection of Claims 1-19 under 35 U.S.C. § 103(a) over JP 8-188,527 (hereinafter JP '527) is respectfully traversed.

JP '527 fails to describe a cosmetic sheet comprising an agar having a gel strength of 600 g/cm<sup>2</sup> or less, and which is obtained by subjecting raw seaweed having a sulfate group content of 1-10% to extraction in neutral hot water.

JP '527 describes a sheet-like pack used for skin regulation and cosmetic (page 5 [0001] of English language translation). The sheet pack agent contains a water soluble polymer, a polyhydric alcohol, a moisture-keeping agent, a crosslinking component, a beautiful skin component and water (see paragraph [0005]). None of these components disclose or suggest an agar as claimed.

The water soluble polymer is described in paragraph [0006] as gelatin or a polyacrylate. None of these is suggestive of an agar as claimed.

The polyhydric alcohol is described at paragraph [0007] as a polyhydric alcohol and glycols. None of these components disclose or suggest an agar as claimed.

The moisture-keeping agent is described at paragraph [0008] as acylation Kefiran aqueous solution. This component does not disclose or suggest an agar as claimed.

The crosslinking component is described at paragraph [0009] as a poor-water solubility aluminum compound and a polyfunctional epoxy compound. None of these components disclose or suggest an agar as claimed.

The beautiful skin component is described in paragraph [0010]. None of these components disclose or suggest an agar as claimed.

In contrast the present invention is directed to a sheet cosmetic comprising a single-layered aqueous gel sheet comprising an agar having a gel strength of 600 g/cm<sup>2</sup> or less, and which is obtained by subjecting raw seaweed having a sulfate group content of 1-10% to extraction in neutral hot water. Applicants note that the limitations of existing claim 4 have been added to the independent claim. Such an agar is described in JP 10-309,182.. As the cited reference fails to disclose or suggest a sheet cosmetic comprising an agar having a gel strength of 600 g/cm<sup>2</sup> or less, and which is obtained by subjecting raw seaweed having a sulfate group content of 1-10% to extraction in neutral hot water, the claimed invention is simply not rendered obvious by the cited reference.

To establish a *prima facie* case of obviousness, **three basic** criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to

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combine reference teachings. Second, there must be a reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest **all the claim limitations.** (M.P.E.P. 2143) (emphasis added)

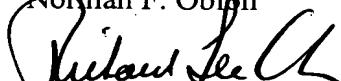
As the cited reference fails to disclose or suggest the claim limitation of an agar having a gel strength of 600 g/cm<sup>2</sup> or less, and which is obtained by subjecting raw seaweed having a sulfate group content of 1-10% to extraction in neutral hot water, the present invention is clearly not *prima facie* obvious over the cited reference. Withdrawal of the rejection under 35 U.S.C. § 103 (a) is respectfully requested.

Applicants submit this application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon



Richard L. Chinn, Ph.D.  
Attorney of Record  
Registration No. 34,305

Customer Number  
22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

RLC:dbl